



OFFICE OF

No. HB 2246

THE GOVERNOR
STATE OF OKLAHOMA

OKLAHOMA CITY, OKLA., June 5, 2009

TIME SIGNED: 3:45pm

TO THE HONORABLE SPEAKER OF THE HOUSE
AND MEMBERS OF THE HOUSE OF REPRESENTATIVES
FIRST SESSION OF THE
FIFTY SECOND OKLAHOMA LEGISLATURE

ENROLLED HOUSE BILL NO. 2246:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill 2246. While HB 2246 is designed to strengthen the initiative petition process and contains several good provisions, the bill is fatally flawed because of Section 3, a provision that grants additional rights to petition circulators at the same time it takes away the rights of other citizens. For example, Section 3 would make it a crime for a person to interrupt a conversation between a circulator and a potential signer, touch a petition or promotional material without the consent of a circulator or shout in the presence of a circulator to express opposition to their initiative. Such prohibitions have the effect of discouraging and even criminalizing such basic constitutional rights as free speech and freedom of assembly. Section 3 also provides unscrupulous circulators with a cash incentive to report such offensive speech or assembly by requiring offenders to pay the complaining circulator \$500 in statutory damages for each violation.

It is critical to have a fair and accessible initiative petition process available to the people, but the meritorious proposals in HB 2246 cannot overcome the harm caused by Section 3. In an effort to enact fair and responsible petition reforms in the next legislative session, I will appoint an interim task force to review the issues addressed in HB 2246 and work on language that strengthens and improves the process without eroding the constitutionally guaranteed rights of individual citizens.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

By So

Date/Time 6/5/09 12:09 PM

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**OKLAHOMA SECRETARY
OF STATE**